

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

CENTER FOR WORKPLACE COMPLIANCE)
(f/k/a EQUAL EMPLOYMENT ADVISORY)
COUNCIL),)

Plaintiff,)

v.)

LITTLER MENDELSON, P.C., *et al.*,)

Defendants.)

Case No. 1:20-cv-01387-AJT-JFA

DEFENDANT'S FIRST INTERROGATORIES TO PLAINTIFF

Pursuant to Federal Rules of Civil Procedure 26 and 34, Defendant Lance E. Gibbons hereby requests that Plaintiff answer the following interrogatories in writing and under oath within 30 days.

INSTRUCTIONS AND DEFINITIONS

1. These Interrogatories are to be answered by you to the extent of all information which is, or may be, available to you, or to any person, employee, agent, or attorney who has acted, or is now acting on your behalf, and not merely on information which is within your personal knowledge.

2. If, after a reasonable and thorough investigation, using due diligence, you are unable to answer any Interrogatory or any part thereof, on the grounds of lack of information available to you, please state what has been done to locate such information. In addition, specify what knowledge or belief you do have concerning the unanswered portion of any Interrogatory and set forth the facts upon which such knowledge or belief is based.

3. Where an Interrogatory does not specifically request a particular fact or facts, but where such fact(s) is necessary to make the answer to said Interrogatory either comprehensible, complete or not misleading, you should include such fact(s) as part of such answer and said Interrogatory shall be deemed specifically to request such fact(s).

4. “Identify” when used in conjunction with an individual means to state the individual’s full name, last known home address, last known home and business telephone numbers, present or last known business affiliation or employer, business address and job title, exact or approximate date and place of death if deceased. When used in conjunction with a document, “Identify” means to state the title of the document, identify all individuals who helped create the document, state the date the document was created, identify all persons who received the document, and, if you are not producing the document, state why you are not producing the document, and describe the contents of the document.

5. The words “communicate” or “communication(s)” are used in the broadest sense, and include but are not limited to any transmission or exchange of information between two or more persons, orally or in writing, and includes any conversation or discussion, whether face-to-face or means of a telephone, telegraph, telex, telecopier, facsimile transmission, e-mail, electronic, or other medium.

6. The words “document” or “documents” shall be construed in the broadest sense possible and shall include, but not be limited to, each and every form in which information is kept, however produced, reproduced or stored, in your actual or constructive possession, custody or control (including any of your employees, agents, representatives, attorneys or accountants), and whether prepared, published or released by you or by any other person or entity, including but not limited to, letters, reports, agreements, correspondence, telegrams, e-mails, minutes or

records of meetings, text messages, voicemail messages, reports or summaries of investigations, expressions or statements of policy, opinions or reports of consultants, lists, drafts, revisions, invoices, receipts, original and preliminary notes, preliminary sketches, records, ledgers, contracts, bills of lading, bills, inventories, financial data, maps, memoranda, accounting and financial records, diaries, journals, calendars, statements, workpapers, videotapes, audiotapes, photographs, pamphlets, brochures, advertisements, trade letters, press releases, drawings, recaps, tables, articles, summaries of conversations, computer cards, tapes, disks, thumb drives, computer hard drives, and any and all other such electronic storage devices, and any other means of electronically or magnetically maintained or stored information, and printouts. The terms “Document” and “Documents” include, without limitation, all originals and non-identical copies.

7. The phrases “relate to,” “related to,” or “relating to,” shall mean and refer to evidencing, alluding, responding, concerning, memorializing, referring, constituting, containing, discussing, describing, depicting, embodying, reflecting, regarding, identifying, mentioning, stating, in respect of, commenting on, showing, or analyzing, in whole or in part, the subject matter referred to in these document requests.

8. “You,” “your,” and “CWC” refer to Plaintiff, the Center for Workplace Compliance, and any predecessor entities, including but not limited to the Equal Employment Advisory Council, as well as its current and past directors, officers, agents, employees, independent contractors, representatives, consultants, attorneys, or entities acting on its behalf.

9. The “Complaint” means the First Amended Complaint filed herein by CWC, and any successor or amended pleading thereto.

10. “Defendants” means and refers collectively to Defendants Littler Mendelson, P.C., Chris Gokturk, and Lance E. Gibbons.

11. “Littler” means defendant Littler Mendelson, P.C.

12. “Work” or “Work(s)” is a singular or plural reference to those copyrighted work product documents which are the subject of the copyright registrations identified on Exhibit B to the First Amended Complaint.

13. “NT Lakis” means the NT Lakis, LLP law firm and its predecessor law firms, including without limitation, Norris, Tysse, Lampley & Lakis, LLP.

14. “Access” when used in relation to a Work, means to access, select, obtain, view, download, retain, print, copy or use.

THE INTERROGATORIES

1. For every Work which Plaintiff claims any Defendant copied, misappropriated, or with regard to which any Defendant otherwise is alleged to have infringed Plaintiff’s rights, explain or illustrate all of the constituent elements or portions of such Works which you assert constitute original literary expression, and as to each such element or portion, identify its author or authors.

2. As to all authors identified in your answer to interrogatory 1, explain the factual basis for Plaintiff’s claim that it owns such authors’ authorship rights in the Works. If the authorship rights were transferred or assigned to Plaintiff, then state the consideration paid for each such assignment or transfer, and identify the documents pursuant to which such assignment or transfer was effectuated.

3. Identify all persons with knowledge of the material facts alleged by you in the Complaint, and as to each such person, state generally what knowledge or information each such person is expected to possess.

4. Itemize and explain Plaintiff’s claims for actual damages.

Dated: January 21, 2021

Respectfully submitted,

Robert C. Gill

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CERTIFICATE OF SERVICE

I hereby certify that on January 21, 2021 true and correct copy of the foregoing subpoena was served via email on:

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/ s/ Robert C. Gill
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